

# WU07

## Notice of progress report in a winding-up by the court



Companies House

WED SATURDAY



A34 \*A7EZ04FE\* 22/09/2018 #222  
COMPANIES HOUSE

A14 \*A7DCTZKA\* 29/08/2018 #266  
COMPANIES HOUSE

### 1 Company details

Company number 0 4 5 1 6 9 2 5

Company name in full Atec Associates Limited

→ Filling in this form  
Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Kevin J

Surname Hellard

### 3 Liquidator's address

Building name/number 30

Street Finsbury square

Post town London

County/Region

Postcode E C 2 A 1 A G

Country United Kingdom

### 4 Liquidator's name ①

Full forename(s) Ian

Surname Richardson

① Other liquidator  
Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number 1

Street Whitehall Riverside

Post town Leeds

County/Region

Postcode L S 1 4 B N

Country United Kingdom

② Other liquidator  
Use this section to tell us about  
another liquidator.

WU07

Notice of progress report in a winding-up by the court

**6** Period of progress report

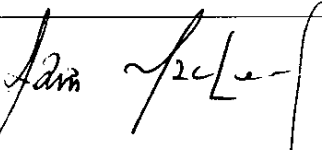
From date	<sup>d</sup> 1	<sup>d</sup> 7	<sup>m</sup> 0	<sup>m</sup> 7	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 7
To date	<sup>d</sup> 1	<sup>d</sup> 6	<sup>m</sup> 0	<sup>m</sup> 7	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8

**7** Progress report☒ The progress report is attached**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

<sup>d</sup>2<sup>d</sup>8<sup>m</sup>0<sup>m</sup>8<sup>y</sup>2<sup>y</sup>0<sup>y</sup>1<sup>y</sup>8

Our ref: A30201074/KJH/IDM/HAD/LKG/7

**To the creditors and members**

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**Recovery and Reorganisation**

Grant Thornton UK LLP  
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Temple Quay  
Bristol  
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F +44 (0)117 955 4934

21 August 2018

Dear Sir / Madam

**Atec Associates Limited - In Liquidation (the Company)**  
**In the High Court of Justice, No 1663 of 2017**

**1 Introduction**

1.1 Following my appointment as joint liquidator of the above company with Ian Richardson on 17 July 2017, in accordance with Part 18 of the Insolvency (England and Wales) Rules 2016 I now report on the progress of the liquidation for the year ended 16 July 2018 and attach:

- Appendix A, an account of our receipts and payments for the year ended 16 July 2018;
- Appendix B, a statement of the remuneration charged by the joint liquidators in the period 17 July 2017 to 16 July 2018 and a statement of expenses incurred in the period;
- Appendix C, an analysis of time costs as required by Statement of Insolvency Practice 9;
- Appendix D, an extract from the Insolvency (England and Wales) Rules 2016 relating to creditors' rights to request additional information from the liquidator (rule 18.9); and
- Appendix E, an extract from the Insolvency (England and Wales) Rules 2016 relating to creditors' rights to challenge the liquidator's remuneration or expenses if excessive (rule 18.34).

1.2 We are both authorised by the Insolvency Practitioners Association to act as insolvency practitioners. We are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

**2 Statutory information**

The Company's registered number is 04516925.

The Company's registered address is 30 Finsbury Square, London EC2P 2YU.

The Company's former trading address is 3<sup>rd</sup> Floor, 207 Regent Street, London W1B 3HH.

**3 Progress report**

**3.1 Background**

The Company was incorporated on 22 August 2002 and operated in the wholesale of computers,

computer peripheral equipment and software.

Following HM Revenue and Customs' (HMRC) assessment in respect of various sales and purchases undertaken by the Company between April and July 2006, HMRC denied the Company's input tax for the period. The Company appealed against the decision and this led to several tax tribunals. The final appeal was lost in October 2016 and it was found the Company was involved in Missing Trading Intra Community (MTIC) fraud.

HMRC issued a petition against the Company for the sum of £12,250.97 on 1 March 2017 and wound up the Company on 15 May 2017.

### **3.2 Books and Records**

I received handover from the Official Receiver (OR) and a review of the documentation provided was completed.

I contacted the Director of the Company regarding the books and records however, the Director advised that the records had been provided to HMRC. HMRC have advised they do not hold any books and records belonging to the Company.

### **3.3 Correspondence with the Director and Former Director**

I have written to the Director and Former Director of the Company to request further information on the affairs of the Company prior to liquidation. To date I have yet to receive a satisfactory response to any of my enquiries.

The Director and Former Director are in bankruptcy and I have made contact with their respective trustees to confirm their contact details. I have verified that the contact information that I hold is accurate.

If I do not receive a satisfactory response from the Director and Former Director in due course, I will consider making an application pursuant to section 236 of the Insolvency Act 1986, to enforce their cooperation.

### **3.4 Bank Accounts**

I was made aware of several bank accounts allegedly held by the Company in the UK. I wrote to these banks to obtain statements so that I may conduct a forensic review of the same. Unfortunately, the banks have advised that the accounts provided to me are not in the name of the Company.

I was also made aware of a bank account held in First Curacao International Bank NV (FCIB). I engaged in correspondence with FCIB and obtained a transaction list of all transactions through the account during the Company's trading. The account transactions have been reviewed and certain transactions are being investigated.

### **3.5 Accountants**

The former accountant of the Company was Mr Paul Ross. I wrote to Mr Ross so that I may obtain all records he held on the Company. Mr Ross has advised that unfortunately the records he held have been destroyed in line with statutory requirements.

### **3.6 Solicitors**

I identified that Hassan Khan & Co (Hassan Khan) were engaged by the Company in their dispute with HMRC. I therefore wrote to Hassan Khan in order to review their working files in respect of this engagement.

I was informed that the paper records of the Company had been destroyed in line with statutory requirements and that Hassan Khan only held limited electronic records. I obtained these records and completed a review of the documentation provided. I have identified no further enquiries to be made of Hassan Khan at this time.

**3.7 Instruction of Moon Beaver Solicitors**

I have engaged Moon Beaver Solicitors to provide advice in certain aspects of the liquidation estate. I will provide further information regarding their instruction in due course.

**4 Creditors**

- 4.1 There are no preferential creditors in this matter.
- 4.2 I have received unsecured claims totalling £1,360,728 and further claims of £803,059 are expected.
- 4.3 To date there has not been a distribution to unsecured creditors.

**5 Joint liquidators' remuneration and expenses**

- 5.1 On 12 September 2017, the creditors resolved that my remuneration be drawn by reference to time costs with a fee estimate of £49,920 plus VAT with a 25% uplift. You will note from the SIP 9 table attached at Appendix C that our time costs to date are £54,993, representing 212.25 hours at an average rate of £259.09, and from the receipts and payments account attached at Appendix A, that we have not drawn any fees.

- 5.2 Time is charged in units of 6 minutes. Background information regarding the fees of liquidators can be found at:

[https://www.r3.org.uk/media/documents/publications/professional/Guide\\_to\\_Liquidators\\_Fees\\_-\\_April\\_2017.pdf](https://www.r3.org.uk/media/documents/publications/professional/Guide_to_Liquidators_Fees_-_April_2017.pdf).

Alternatively, I will supply this information by post on request free of charge.

- 5.3 The hourly charge out rates used in calculating time costs for the current and prior period are as follows:

	<b>17/07/2017 – 30/09/2017</b>	<b>01/10/2017 – 16/07/2018</b>
	<b>£</b>	<b>£</b>
Partner / Director	370 – 615	380 – 650
Managers	290 – 330	300 – 340
Other senior professional	195 – 240	200 – 245
Administrators	160 – 195	165 – 200
Assistants and support staff	160 – 175	150 – 175

- 5.4 In addition, we have drawn expenses of £364 as indicated in Appendix A and have further expenses to take in due course as set out in Appendix B.

- 5.5 We have not charged any category two disbursements to the estate.

**6 Data Protection**

- 6.1 Any personal information held by the company will continue to be processed in accordance with completing the liquidation of the company and in accordance with meeting our requirements under applicable Data Protection Legislation/law in the United Kingdom.

Should you have any queries regarding the content of this report, please contact Hayley Dunk on 0117 305 7721 or by email at [Hayley.A.Dunk@uk.gt.com](mailto:Hayley.A.Dunk@uk.gt.com).

Yours faithfully  
for and on behalf of Atec Associates Limited

  
pp For Kevin J Hellard  
Joint Liquidator

Enc.

**Atec Associates Limited - in liquidation**  
**Receipts and payments account**  
**from 17 July 2017 to 16 July 2018**

	Statement of affairs Per OR £	Total £
<b>Receipts</b>		
Petitioners Deposit		1,600.00
		<u>1,600.00</u>
<b>Payments</b>		
OR Statutory Fees		11,000.00
ISA Account Fees		88.00
DTI Cheque Fees		10.75
VAT Irrecoverable		9.00
Professional Fees		45.00
FCIB Payment		250.00
Statutory Advertising		68.70
Vat Receivable		13.74
		<u>11,485.19</u>
<b>Balance - 16 July 2018</b>		<u><b>(9,885.19)</b></u>
<b>Made up as follows</b>		
ISA		(9,488.00)
Grant Thornton Loan Account		(397.19)
		<u><b>(9,885.19)</b></u>

**Note:**

Note that, as there have been no realisations into the estate, Grant Thornton UK LLP has funded payment of the estate's expenses necessary to progress the case and to comply with statute. This is shown by way of a loan account in the receipts and payments account. The loan will be repayable as an expense of the liquidation in the same priority as attaches to the respective expenses comprising the loan.

**B Remuneration charged and expenses incurred by the joint liquidators in the period**

	Charged/Incurred in period 17/07/2017 to 16/07/2018	Of which paid to 16/07/2018
	£	£
<b>Joint Liquidator's fees:</b>		
Time costs	54,992.75	0.00
<b>Joint Liquidator's Expenses:</b>		
Land registry fees:		
HM Land Registry	97.00	0.00
Overseas searches	14.28	0.00
Specific bond:		
JLT	20.00	0.00
Statutory advertising:		
Timecut Limited	68.70	68.70
Professional fees:		
Kudos	45.00	45.00
Other disbursements:		
First Curacao International Bank N.V.	250.00	250.00

**N.B.** As there have been no realisations into the estate, Grant Thornton UK LLP have funded payment of the estate's expenses necessary to progress the case and to comply with statute. This is shown by way of a loan account within the receipts and payments account. The loan will be repayable as an expense of the liquidation with the same priority as attached to the respective expenses comprising the loan.



Atec Associates Limited - in Liquidation (the Company)

SJP9 from 17/07/2017 to 16/07/2018

	Partner		Manager		Executive		Administrator		Total	
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£
Administration and Planning	2.10	1,027.00	11.50	4,566.00	18.80	4,608.50	40.60	8,901.25	73.00	17,102.75
Creditors			.50	182.00	1.45	389.25	5.05	832.25	7.00	1,403.50
Investigations			30.40	11,836.00	23.90	7,001.00	40.85	5,151.50	95.15	25,209.50
Pensions			11.60	5,672.50	3.70	1,031.00	0.45	78.75	15.75	6,782.25
Taxation			3.90	1,734.50	1.65	422.25	15.80	2,338.00	21.35	4,484.75
Total	2.10	1,027.00	57.90	24,669.00	49.50	13,452.00	102.75	15,844.75	212.25	54,992.75

Administration & Planning Includes: case planning; statutory obligations (e.g. statutory returns); maintenance of cash and estate records; general correspondence; dealing with tax correspondence; correspondence with the Directors and Former Directors; liaising with solicitors.

Creditors Includes: correspondence with unsecured creditors.

Investigations Includes: investigations into the Company's affairs and assets that may have been held prior to liquidation; reviewing the OR Handover; correspondence with banks; correspondence with third parties including solicitors and accountants; conduct a review of documentation obtained.

Pensions Includes: dealing with pensions correspondence, liaising with the Pensions Regulator.

Taxation Includes: dealing with tax correspondence.

**D An extract from the Insolvency (England and Wales) Rules 2016 relating to creditors' rights to request additional information from the liquidator**

**Rule 18.9**

- (1) The following may make a written request to the office-holder for further information about remuneration (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report or account under rule 18.14 -
  - (a) a secured creditor;
  - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
  - (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
  - (d) any unsecured creditor with the permission of the court; or
  - (e) any member of the company in a members' voluntary winding up with the permission of the court.
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report or account by the person, or by the last of them in the case of an application by more than one member or creditor.
- (3) The office holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by-
  - (a) providing all of the information requested;
  - (b) providing some of the information requested;
  - (c) declining to provide the information requested.
- (4) The office-holder may respond by providing only some of the information requested or decline to provide the information if-
  - (a) the time or cost of preparation of the information would be excessive; or
  - (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
  - (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
  - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of –
  - (a) the office holder giving reasons for not providing all of the information requested; or
  - (b) the expiry of the 14 days within which an office-holder must respond to the request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

**E An extract from the Insolvency (England and Wales) Rules 2016 to creditors' rights to challenge the liquidator's remuneration or expenses if excessive**

**Rule 18.34**

- (1) This rule applies to an application in an administration, a winding up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that-
  - (a) the remuneration charged by the office-holder is in all the circumstances excessive;
  - (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
  - (c) the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable-
  - (a) a secured creditor;
  - (b) an unsecured creditor with either-
    - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
    - (ii) the permission of the court, or
  - (c) in a members' voluntary winding up-
    - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
    - (ii) a member of the company with the permission of the court.
- (3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3 or final report or account under rule 18.14 which first reports the charging of remuneration or the incurring of the expenses in question ("the relevant report").